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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/905,630	07/13/2001	Vadim Antonov	005642.P001	3706

7590 02/15/2005
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EXAMINER

DAS, CHAMELI

ART UNIT PAPER NUMBER

2122

DATE MAILED: 02/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/905,630

Applicant(s)

ANTONOV ET AL.

Examiner

CHAMELI C DAS

Art Unit

2122

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 11-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

1. This action is in response to the RCE filed on 1/14/05.
2. Claims 1, 9, 16, 26 have been amended.
3. Claim 10 has been canceled.
4. Claims 1-9 and 11-41 are pending.

Specification

4. The use of the trademark "Java" has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

Drawings

5. The informal drawings are not of sufficient quality to permit examination. Accordingly, replacement drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to this Office action. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action.

Applicant is given a TWO MONTH time period to submit new drawings in compliance with 37 CFR 1.81. Extensions of time may be obtained under the provisions

of 37 CFR 1.136(a). Failure to timely submit replacement drawing sheets will result in ABANDONMENT of the application.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-25 are rejected under 35 U.S.C. 102(a) as being anticipated by Mattaway et al, (Mattaway), US 6,226,678.

As per claim 1, Mattaway discloses:

(a) providing a connection between a first process and a second process
(Mattaway, abstract, col 4, lines 38-40 and Fig 1)

(b) Dynamically matching a first type of the first process and a second type of the second process (Mattaway, col 17, lines 1-20), where Webphone software able to communicate between first process and second process (col 17, lines 15-2) and the Webphone API utilizes to transfer data of different type (col 17, lines 5-8) and Webphone transfers the data in real-time (dynamically). It clearly shows that “Dynamically matching a first type of the first process and a second type of the second process” as claimed and (col 20, lines 43-56).

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© Using a library to dynamically match the first type of the first process and the second type of the second process (Mattaway, col 17, lines 1-20, col 20, lines 43-56), Mattaway discloses that the system establishes a real-time communication (see Abstract) using dynamic link library (col 15, lines 46-54)

where the first type matches the second type if the first type and the second type have same names (col 37, lines 1-38), where a client process identifier (name) has received and compare with client information profiles and match occurs (col 37, lines 28-30)

the first processing unit and the second processing unit both have the similar system (col 4, lines 15-30) and first and second processing unit both execute on the same application (WebPhone version 1.0) (see col 14, lines 41-50), clearly shows that both type has the same behavior version, otherwise they cannot execute on that application.

(d) utilizing a flow control provided by a unit (Mattaway, col 15, lines 50-60, col 6, lines 31-40).

As per claim 2, Mattaway discloses:

- first process provides a push of information to or a pull of information from the second process (column 9, lines 41-57).

As per claims 3, 17, Mattaway discloses:

- first process is a client process (Mattaway, Abstract, col 3, lines 15-20).

As per claims 4, 18, Mattaway discloses:

- second process is a server process (Mattaway, Abstract, col 3, lines 15-20).

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As per claims 5, 19, (Mattaway, column 15, lines 5-15, col 15, lines 29-38), where the dynamic object library is considered as Exigen object library as claimed.

As per claim 6, Mattaway discloses:

- wherein unit is a transport layer (Mattaway, col 6, lines 31-40).

As per claim 7, Mattaway discloses:

- transport layer supports a plurality of point-to-point ... process (Mattaway, Abstract, col 6, lines 55-65).

As per claim 8, Mattaway discloses:

- the flow control occurs at a flow origin (Mattaway, col 15, lines 30-42, col 9, lines 41-52).

For claim 11, (Mattaway, abstract).

For claim 12, (Mattaway, abstract, col 11, lines 10-14).

For claim 13, (Mattaway, col 11, lines 10-35).

For claim 14, (Mattaway, abstract, col 11, lines 10-35).

For claim 15, (Mattaway, abstract, col 11, lines 10-14).

As per claim 16, Mattaway discloses a secure connection between the first process and the second process (Abstract, col 26, lines 27-30), for the rest of the limitations, see the rejection of claim 1 above.

For claims 19, and 30 see the rejection of claim 5 above.

For claim 20, (Mattaway, abstract, col 3, lines 3-24).

For claim 21, (Mattaway, col 21, lines 50-65).

For claim 22, (Mattaway, col 21, lines 50-65, col 3, lines 3-24).

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For claim 23, (column 9, lines 41-57, col 27, lines 58-67, col 28, lines 1-27).

For claim 24, (Abstract, col 3 lines 1-25).

For claim 25, (column 9, lines 41-57, col 27, lines 58-67, col 28, lines 1-27).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9, 26-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mattaway, US 6,226,678 and further in view of Nakamura, US 6,463,036.

As per claim 9, Mattaway discloses the flow control backs up information at the flow origin (Mattaway, col 12, lines 20-32). Mattaway does not specifically disclose providing a buffer at the flow origin to prevent overflow of information to the recipient of the flow. However, Nakamura discloses providing a buffer at the flow origin (Nakamura, col 3, lines 19-30) to prevent overflow of information to the recipient of the flow (col 3, lines 35-40).

The modification would be obvious because one of the ordinary skill in the art would be motivated to perform congestion control in a communication network system.

As per claim 26, Mattaway discloses:

(a) providing a connection between a first process and a second process

(Mattaway, abstract, col 4, lines 38-40)

(b) dynamically matching the first process and the second process (Mattaway, abstract, col 15, lines 10-15)

© using a library to dynamically match the first process and the second process (Mattaway, col 15, lines 10-11, col 15, lines 50-54).

Mattaway does not specifically disclose asynchronous connection. However, Nakamura discloses the asynchronous connection (Nakamura, abstract). The modification would be obvious because one of the ordinary skill in the art would be motivated to provide reliable, efficient and high speed communication system to connect the processes.

As per claim 27, Mattaway discloses:

- first process provides a push of information to or a pull of information from the second process (column 9, lines 41-57).

For claims 28-29, see the rejections of claims 3 and 4.

For claim 30, (Mattaway, column 15, lines 5-15, col 15, lines 29-38), where the dynamic object library is considered as Exigen object library as claimed.

For claim 31 (Mattaway, col 25, lines 20-40, col 27, lines 60-65).

As per claim 32, Mattaway discloses:

- providing a connection between a first process and a second process

(Mattaway, abstract, col 4, lines 38-40)

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- providing a secure connection between the first process and the second process (Mattaway, Abstract, col 26, lines 27-30).

Mattaway does not specifically disclose asynchronous connection. However, Nakamura discloses the asynchronous connection (Nakamura, abstract). The modification would be obvious because one of the ordinary skill in the art would be motivated to provide reliable, efficient and high speed communication system to connect the processes.

For claims 33-35, see the rejections of claims 27-29 respectively.

For claim 36, see the rejections of claim 31.

For claims 37- 42, see the rejections of claims 20-25 respectively.

Response to the Arguments

9. Applicant's argument filed on 1/4/05 have been fully considered but they are not persuasive. In remarks, the applicant argued in substances:

- (1) Mattaway does not disclose "process types are matched if they have the same names and same behavior version numbers".

Response:

- (1) Mattaway discloses the above limitations, see the rejection of claim 1 above.

- (2) As per amended claim 9, Mattaway does not disclose "providing a buffer at the flow origin to prevent overflow of information to the recipient of the flow".

Response:

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(2) Mattaway does not disclose the above limitations. However, Nakamura (US 6,463,036) discloses the above limitation. See the rejection of claim 9 above.

(3) Mattaway does not disclose "asynchronous connection".

Response:

(3) Mattaway does not disclose "asynchronous connection". However, Nakamura (US 6,463,036) discloses "asynchronous connection. See the rejection of claim 26 above.

10. The prior art made or record and not relied upon is considered pertinent to applicant's disclosure.

TITLE: System and method for providing enhanced services for a telecommunication call, US 6697340 B2

TITLE: Data processing technique for message tracing in an asynchronous messaging network, US 6654805 B1

TITLE: Multi-user on-screen keyboard, US 6664982 B1

TITLE: Small packet communication network, US 4156798 A

TITLE: System for transmitting data in packets, US 5848354 A

TITLE: Method and apparatus for providing schema evolution without recompilation, US 6119130 A

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TITLE: System for downloading computer software with broadcasting program, US
6532591

TITLE: Multitasking computer system for integrating the operation of different
application programs which manipulate data objects of different types, US 5421012 A.

TITLE: Security module for a transaction processing system, US 6405317 B1

11.. Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Chameli Das whose telephone number is 571-
272-3696.

The examiner can normally be reached on Monday-Friday from 7:00 A.M. to 3:30
P.M. If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor Tuan Dam can be reached at 571-272-3695. The fax number for this group
is (703) 872-9306.

CHAMELI C. DAS
PRIMARY EXAMINER

Chameli C. Das
CHAMELI C. DAS
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2/10/05